

**IN THE UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF NEW YORK**

SAMUEL DEUTSCH, INDIVIDUALLY
AND AS ADMINISTRATOR OF THE
ESTATE OF HELENE DEUTSCH,

Plaintiff,

v.

NOVARTIS PHARMACEUTICALS
CORPORATION,

Defendant.

Civil Action No.: 2:09-CV-04677-ADS-WDW

PLAINTIFF'S STATEMENT REGARDING DAMAGES

In accordance with Section V.B. of the Court's Individual Motion Practices, Plaintiff Samuel Deutsch, by and through his attorneys, submits this detailed statement regarding damages and other relief sought.

Plaintiff Samuel Deutsch, individually and as Administrator of the Estate of Helene Deutsch, seeks entry of judgment in the favor of Plaintiff on the following claims: Strict Liability (Count I); Negligent Manufacture (Count II); Negligent Failure to Warn (Count III); Breach of Implied Warranty (Count V); and Loss of Consortium (Count VI).

Plaintiff seeks all damages allowed by law to compensate Plaintiff for: Mrs. Deutsch's past physical injuries, pain, suffering, loss of enjoyment of life, emotional distress, mental anguish, physical disability and physical disfigurement; Mrs. Deutsch's medical and health care costs and expenses incurred (attached hereto as Exhibit 1); and Mr. Deutsch's loss of consortium and companionship. Further Plaintiff asks this Court to award Plaintiff: Punitive/exemplary damages to the extent necessary to punish Defendant and to deter the conduct committed going

forward; Attorney's fees and costs, plus interest as allowed by law; and any other legal and equitable relief as this honorable Court deems just and proper.

Respectfully submitted,

By:

/s/ John Vecchione

John J. Vecchione, Esq. (JV-3889)

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Attorney for Plaintiff

Dated: June 19, 2011

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have on this 19th day of June, 2011, served a true and correct copy of the foregoing by operation of the Court's Electronic Case Filing system on all counsel of record in the above captioned case.

By: /s/ John J. Vecchione
John J. Vecchione, Esq. (JV-3889)